

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/6/25

-against-

09-cr-723-03 (LAK)

FRANCISCO GONZALEZ-URIBE,

Defendant.  
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### ORDER

LEWIS A. KAPLAN, *District Judge*.

Before the Court is the defendant's motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2).

On November 30, 2010, the defendant was sentenced principally to a term of imprisonment of 360 months. On April 13, 2016, the Court issued an order under 18 U.S.C. § 3582(c)(2) reducing the defendant's previously imposed sentence of imprisonment to 292 months. On December 4, 2024, the defendant moved for a further reduction of sentence. On January 3, 2025, the Probation Office completed a Supplemental Presentence Report indicating that the defendant is not eligible for a sentence reduction under the terms of Amendment 821.

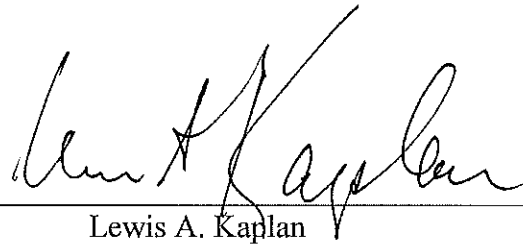
The Court has considered the record in this case and the submissions of the parties and the Probation Office. The Court finds that the defendant is ineligible for a sentence reduction under Amendment 821 to the Sentencing Guidelines because he did not receive an enhancement for committing the instant offense while under a criminal justice sentence, and because the defendant received an adjustment under §3B1.1 (Aggravating Role), and thus does not qualify for the zero-point

offender reduction.

Accordingly, it is hereby ORDERED that the defendant's motion for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2) is denied.

SO ORDERED.

Dated: January 6, 2025

A handwritten signature in black ink, appearing to read "Lewis A. Kaplan", is written over a horizontal line.

Lewis A. Kaplan  
United States District Judge